

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST:

SANDRA J. BURRITT, R.N.,	FINAL DECISION AND ORDER
RESPONDENT	LS0101043NUR

00 NUR 268

The parties to this action for the purposes of § 227.53, Wis. Stats., are:

Sandra J. Burritt
28628 115th Place
Trevor, WI 53179

Wisconsin Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Sandra J. Burritt (dob: 06/08/62) is and was at all times relevant to the facts set forth herein a registered nurse licensed in the State of Wisconsin pursuant to license # 113170 . This license was first granted May 28, 1993.
2. On April 19, 1999, the Illinois Department of Professional Regulation placed Respondent on Indefinite Probation for a minimum period of three years and required Respondent to comply with all terms and conditions contained in a Stipulation and Recommendation for Settlement signed by the Illinois Department January 8, 1999, a copy of which is attached hereto and incorporated herein by reference as Attachment 1.
3. Following an evaluation at Oakwood Clinic, Kenosha, Wisconsin on May 18, 1998, Respondent was diagnosed

with polysubstance dependence in remission. Respondent has participated in treatment for her condition at Oakwood Clinic.

4. Respondent has maintained sobriety since February, 1996.

CONCLUSIONS OF LAW

5. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to §441.07(1)(b)(c) and(d) Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.

6. The conduct described in paragraphs 2 and 3, above, violated § N 7.03(2) and N 7.04(7) Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that the license to practice of respondent shall be LIMITED as follows:

REHABILITATION, MONITORING AND TREATMENT

Treatment Required

1. Therapy. Respondent shall participate in group support sessions upon a schedule as required by the Illinois Department of Regulation.

AA/NA Meetings. Respondent shall attend Narcotics Anonymous and/or Alcoholic Anonymous meetings or an equivalent program for recovering professionals, upon a frequency as recommended by the supervising physician or therapist, but not less than one meeting per week. Attendance of Respondent at such meetings shall be verified and reported monthly to the supervising physician or therapist.

Sobriety

2. Respondent shall abstain from all personal use of controlled substances as defined in Sec. 961.01(4), Stats. except when necessitated by a legitimate medical condition and then only with the prior approval of her Health Care Provider.

3. Respondent shall abstain from all personal use of alcohol.

4. Respondent shall in addition refrain from the consumption of over-the-counter medications or other substances which may mask consumption of controlled substances or of alcohol, or which may create false positive screening results, or which may interfere with respondent's treatment and rehabilitation.

Department Monitor

5. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all reports and petitions, and requesting additional monitoring and surveillance. The Department Monitor may be reached as follows:

Department Monitor

Department of Regulation Division of Enforcement

P.O. Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 261-7938

Releases

6. Respondent shall provide and keep on file with all treatment facilities and personnel, laboratories and collections sites current releases which comply with state and federal laws authorizing release of all urine,

blood and hair specimen screen results and medical and treatment records and reports to, and permitting all treating physicians and therapists to disclose and discuss the progress of respondent's treatment and rehabilitation with the Board or any member thereof, or with any employee of the Department of Regulation and Licensing acting under the authority of the Board. Copies of these releases shall be filed simultaneously with the Department Monitor.

Drug and Alcohol Screens

7. Respondent shall comply with the random monthly urine screen requirement of the Illinois Department of Professional Regulation, and shall cause copies of all laboratory results to be filed on a quarterly basis with the Department Monitor.
8. The Respondent may be required to participate in a program of screening established by the Department for testing credential holders. The drug and alcohol treatment program in which Respondent is enrolled shall at all times utilize a United States Department of Health and Human Services certified laboratory for the analysis of all specimens collected from Respondent.
9. Every urine, blood or hair specimen collected from Respondent shall be analyzed for alcohol, amphetamine, cocaine, opiates, phencyclidine, marijuana, methadone, propoxyphene, methaqualone, barbiturates, benzodiazepines or the metabolites thereof. The Board or its designated agent may at any time direct that screens for additional substances and their metabolites be conducted by scientific methods and instruments appropriate to detect the presence of these substances. The laboratory shall conduct confirmatory tests of positive or suspected positive test results by appropriate scientific methods and instruments including, but not limited to, gas chromatography and mass spectrometry.
10. For the purpose of further actions affecting Respondent's license under this Order, it shall be presumed that all confirmed positive reports are valid. Respondent shall have the burden of proof to establish that the positive report was erroneous and that the respondent's specimen sample did not contain alcohol or controlled substances or their metabolites.

Required Reporting by Health Care Provider, and laboratories

11. Respondent's Health Care Provider shall submit formal written reports to the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, Wisconsin 53708-8935 on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's progress in treatment and summarize the results of the urine, blood or hair specimen analyses. Any violation of the Final Decision and Order shall be reported immediately to the Department Monitor [Division of Enforcement, P.O. Box 8935, Madison, Wisconsin 53708-8935, FAX (608)266-2264, telephone no. (608)261-7938].

Required reporting by Respondent

12. Respondent is responsible for compliance with all of the terms and conditions of the Illinois Department of Professional Regulation Order dated April 19 1999, and of this Final Decision and Order. It is the responsibility of Respondent to promptly notify the Department Monitor, of any suspected violations of any of the terms and conditions of the Orders. Respondent shall cause copies of all reports submitted to the Illinois Department of Professional Regulation to be simultaneously submitted to the Department Monitor.

Facility approval

13. If the Board determines that any treatment facility, laboratory or collection site has failed to satisfy the terms and conditions of this Final Decision and Order, the Board may, at its sole discretion, direct that Respondent continue treatment and rehabilitation under the direction of another treatment facility, laboratory or collection site which will conform to the terms and conditions of this Final Decision and Order.

PETITIONS FOR MODIFICATION OF TERMS

14. Respondent may petition the Board for modification of the terms of this limited license. Any such petition shall be accompanied by a written recommendation from respondent's Supervising Health Care Provider expressly supporting the specific modifications sought. Denial of the petition in whole or in part shall not be considered a denial of a license within the meaning of Sec. 227.01(3)(a), Stats. and Respondent shall not have a right to any further hearings or proceedings on any denial in whole or in part of the petition for modification of the limited license.

After certification to the Board of successful completion of all of the terms, conditions and restrictions of the Illinois Department of Professional Regulation Order dated April 19, 1999, and with proof of continuous active professional practice under this Order without relapse or any violation of the terms thereof, and upon

recommendation of her Health Care Provider , Respondent may petition the Board for a termination of all limitations on the license, and restoration of an unlimited license. Such restoration shall be in the sole discretion of the Board, and denial of the petition in whole or in part shall not be considered a denial of a license within the meaning of Sec. 227.01(3)(a), Stats. and Respondent shall not have a right to any further hearings or proceedings on any denial in whole or in part of the petition for termination of the limitations and restoration of unlimited licensure.

EXPENSES OF TREATMENT AND MONITORING

15. Respondent shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision and any other expenses associated with compliance with the terms of this Order.

PRACTICE LIMITATIONS

Controlled Substance Access

16. Respondent is not restricted from access to or administration of controlled substances in her work setting at this time. However, in the event that Respondent's Health Care Provider recommends restrictions upon access to controlled substances, the Board may Order such restrictions and Respondent agrees to comply .

17. Respondent shall practice only under the general supervision of a licensed professional nurse or other licensed health care professional approved by the Board or in a work setting pre-approved by the Board or its designated agent.

Reporting Required

18. Respondent shall arrange for her employer to provide formal written reports to the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, Wisconsin 53708-8935 on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance.

Change in Address or Work Status

19. Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

20. Respondent shall furnish a copy of this Order to all present employers immediately upon issuance of this Order, and to any prospective employer when respondent applies for employment as a health care provider.

Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license; the Board in its discretion may in the alternative deny a stay of suspension of the license or impose additional conditions and limitations or other discipline.

This Order shall become effective upon the date of its signing.

WISCONSIN BOARD OF NURSING

by: Ann Brewer

1-4-01

Board Chair

Date